

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q90909

Peter MAYRHOFER, et al.

U.S. Patent Appln. No.: 10/556,069

Group Art Unit: 1633

Confirmation No.: 6079

Examiner: Sumesh KAUSHAL

Filed: August 24, 2006

For: MINICIRCLE VECTOR PRODUCTION

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed (without a Statement Under 37 C.F.R § 1.97(e)) after the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application, and therefore the fee of \$180.00 under 37 C.F.R. § 1.17(p) is being remitted.

Applicants submit the following communications from the European Patent Office and offer the following explanations for the documents cited therein.

Notice of Opposition filed March 24, 2010 in EP Application No. 04730974.5 (Patent No. 1620559)

Documents D2 (GOSSEN et al.) and D3 (HASAN et al.) are submitted herewith.

Document D1 (WO 96/26270) was submitted with the Information Disclosure Statement filed July 24, 2009.

Documents D4 (LUBITZ et al.) and D5 (BIGGER et al.) were submitted with the Information Disclosure Statement filed November 8, 2005.

Extended European Search Report issued June 8, 2010 in EP Application No. 10157309.5

Documents D1 (LUNDEBERG et al.), D2 (GRANGER et al.), D3 (GOSSEN et al.), D4 (SADLER et al.), D5 (WO 02/20823) and DARQUET et al. (listed on page 2/2 of the ESR) are submitted herewith.

JECHLINGER et al. (listed on page 2/2 of the ESR) was cited by the Examiner on the PTO Form 892 attached to the Non-Final Office Action of June 10, 2011.

Third Party Observations filed May 31, 2011 in EP Application No. 10157309.5

Documents D6 (SCHATZ) and D7 (SADLER et al.) are submitted herewith.

Document D8 (WO 96/26270) was submitted with the Information Disclosure Statement filed July 24, 2009.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not

INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. §§ 1.97 and 1.98

U.S. Patent Appln. No.: 10/556,069

Attorney Docket No.: Q90909

waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Tu A. Phan/

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Tu A. Phan, Ph.D.
Registration No. 59,392

Date: October 11, 2011